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PATENT

CASE #F7571(V) UNUS #01-0164-UNI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSTOMER NO.

000201

APPLICANT:

Fabian et al.

SERIAL NO.:

10/005,702

FILED:

December 5, 2001

FOR:

Pourable FryingComposition

GROUP:

1761

EXAMINER:

C. Paden

ENGLEWOOD CLIFFS, NEW JERSEY 07632

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated October 18, 2004 of the Primary Examiner's final rejection of claims 1-8, 11, 13 and 15.

The item(s) check below are appropriate:

[] A timely response to the final Rejection has been filed.

[X] An Extension of Time to respond to the Final Rejection was requested for one month.

An Extension of Time to file a Notice of Appeal was granted for one month(s).

[X] Charge statutory fee of \$500.00 to Deposit Account No. 12-1155. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155. This request is being submitted in triplicate.

Gerard J. McGowan, Jr. Attorney for Applicant Registration No. 29,412

GJM:pod (201) 894-2297